IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5006 of 1989

For Approval and Signature:

Hon'ble MR.JUSTICE H.K.RATHOD

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

DIVISIONAL CONTROLLER

Versus

V.B. CHUDASAMA

Appearance:

1. Special Civil Application No. 5006 of 1989

MR KN RAVAL for Petitioner No. 1

MR HARDIK C RAWAL for Petitioner No. 1

MR KK SHAH for Respondent No. 1

CORAM : MR.JUSTICE H.K.RATHOD

Date of decision: 16/01/2002

ORAL JUDGEMENT

Heard learned advocate Mr. Hardik Raval for the petitioner. Learned advocate Mr. K.K. Shah is

appearing for the respondent workman. IN this petition, the petitioner has challenged the award made by the labour court Bhavnagar in Reference (LCB) No. 317 of 1987 dated 19th November, 1988 whereby the labour court has set aside the order of dismissal and has granted reinstatement with continuity of service with 25% back wages for the intervening period.

During the course of hearing, learned advocate Mr. Raval appearing for the petitioner corporation has submitted that after the award has been made by the labour court, Bhavnagar, the respondent workman has expired on 7th November, 1989 and since the respondent workman has expired, he has sought leave to withdraw this petition. Leave is granted. This petition is disposed of as withdrawn. Rule is discharged. Interim relief, if any, shall stand vacated with no order as to costs.

Dt : 16.1.2002. (H.K. Rathod,J.)

Vyas